

REMARKS

Receipt of the Office Action of February 17, 2009 is gratefully acknowledged.

Claims 5 - 10 have been examined and rejected under 35 USC 103(a) over "PROFIBUS" in view of Diedrich.

This rejection has been carefully considered and as a result is respectfully traversed.

In the commentary on the rejection, the examiner concurs that "PROFIBUS" "does not explicitly disclose "syntactically and semantically correct and producing device descriptions by means of a compiler and converting device descriptions into software module by means of a compiler." For this teaching the examiner turns to Diedrich.

Let us therefore consider Diedrich. Diedrich does not refer to a method for producing **software modules** for field appliances. Please refer to page 2 of the specification for a discussion of the software modules. Each software module encapsulates all data and functions of the particular field device. In addition, these software modules are configured in such a way that the user interface always looks the same. The application program which serves for access to the field devices accesses the field device via a defined interface. Therefore, there is access to the field devices by **any** application program. Note that Diedrich does not indicate any familiarity with such software modules.

The examiner refers us to pg. 165, 1st paragraph of Diedrich. Here it is explicitly stated that "the device description has to be based on a device model because of the semantic behind the lexical and syntactical elements." The

corresponding device model is described in detail in paragraph 2 on page 165. From a consideration of this disclosure, it is not clear how this disclosure is particularly relevant to the present invention. When one considers Fig. 6 of Diedrich, one sees that the device descriptions according to the device model are transformed ***by a lot of different compilers and translators***. The use of a lot of different compilers for transforming the device descriptions not having a uniform form, or language in a standard device description ***is precisely what the present invention avoids***. The present invention does not need different compilers for different groups of existing device descriptions. In claim 5, the second compiler has a different task from that of the first compiler. The second compiler makes a compilation of the standard device descriptions into software modules

Claim 5 has been amended to specify that the standard device descriptions produced are from device descriptions for filed devices ***not having a uniform form or language***. This limitation cannot, it is respectfully submitted, be extracted fro either PROFIBUS or Diedrich.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 5 - 10 found allowable.

Respectfully submitted,

BACON & THOMAS, PLLC



Felix J. D'Ambrosio
Attorney for Applicant
Registration Number 25,721

Customer Number *23364*

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Telephone: (703) 683-0500
Facsimile: (703) 683-1080

S:\Producer\fjd\CLIENTS\Endress+Hauser Holding GmbH\WITT3005-CD0176\May 18 2009 Response.wpd